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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JASON DAVID YONAI; KAZELOON
RECORDS & K.D. LEAN, INC.,

Plaintiffs,

v.

SONY BMG MUSIC
ENTERTAINMENT; UNIVERSAL
MUSIC GROUP; WARNER MUSIC
GROUP; JIMMY IOVINE,
INTERSCOPE RECORDS, WHOEVER
APPLICABLE, ET AL.; THE BIG FOUR
MUSIC GROUP,

Defendants.

Case No. 2:13-cv-07938-ODW(JEMx)

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

On October 28, 2013, Plaintiff Jason David Yonai filed a putative civil-rights Complaint against myriad record-label Defendants. (ECF No. 1.) On October 31, 2013, the Court dismissed Yonai's Complaint with leave amend because Yonai failed to specifically allege which copyrights he owned and how exactly he contends that each Defendant infringed them. (ECF No. 6.)

On November 12, 2013, Yonai filed a First Amended Complaint that purported to address his previous pleading deficiencies. But the Court again found that Yonai had still not properly alleged any viable copyright-infringement claims. The Court consequently dismissed Yonai's First Amended Complaint and gave him leave to amend by December 4, 2013. (ECF No. 11.)

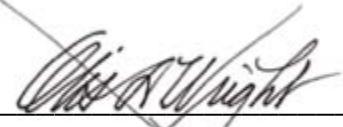
1 To date, Yonai has not filed a second amended complaint or otherwise
2 communicated with the Court. A district court has inherent power to dismiss a case
3 for lack of prosecution—even to dismiss the case with prejudice. *Link v. Wabash R.*
4 *Co.*, 370 U.S. 626, 629 (1962); *Ash v. Cvetkov*, 739 F.2d 493, 496 (9th Cir. 1984).
5 Since no Defendant has even been served in this case, the Court does not find it
6 necessary to dismiss Yonai's case with prejudice. The Court therefore **DISMISSES**
7 this case **WITHOUT PREJUDICE** for lack of prosecution. This means that Yonai is
8 free to refile his case when he is fully prepared to prosecute it. The Clerk of Court
9 shall close this case.

10 **IT IS SO ORDERED.**

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December 17, 2013

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15 **OTIS D. WRIGHT, II**
16 **UNITED STATES DISTRICT JUDGE**
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